

Third Regular Meeting
March 9, 2010

The Third Regular Meeting of 2010 was called to order by the Chair at 6:00 P.M. All Legislative members were present.

Chair Weston asked Legislator Roberts to have a moment of prayer. “I would like to ask for a moment of silence for all the earthquake victims across the world.”

Legislator Roberts led all Legislators and those in attendance in the Pledge of Allegiance.

There were 22 people in attendance.

Drew Griffin Chair of the Employee Recognition Committee presented the Employee of the First Quarter 2010 to Richard Dixson of the Information Technology Department.

“At this time on behalf of the entire Recognition Committee I would like to thank the Legislature for their continued support of this program, which would not be able to exist without their support. Right now I would like to introduce you to Richard Dixson. He is our Employee of the First Quarter.

“Rich graduated from Ridley Lowell Business and Technical Institute with high honors. He started here with the County as a Junior Technician in 2002. He was promoted to Senior Technician in 2006. Rich carries several professional certifications and is a member of the National Technical Honor Society.

“In his duties here at the County Rich is responsible for supporting users, hardware, software in all County departments including the New Track System in the County Sheriff’s vehicles. His most recent project was the deployment of the Tioga County Bus tracking software.

“Outside of work Rich enjoys spending time at home in Endicott with his loving wife Karen and his 12-year-old best friend and son Ryan. A little known fact about Rich is that he is an accomplished musician and can play the drums, guitar, and keyboards, and is currently working on his second CD with his band “Last Call”. At this time I would like to invite the department head, Suzanne Horton, to come and say a couple of words.”

Suzanne Horton, Information Technology Director, spoke. “Over the past eight years I have had the pleasure of supervising and working with Rich. During this time I have found Rich to be very responsive to the needs of our users as proven by many positive comments that I have received on Rich’s behalf. Rich has an excellent work ethic and strives in excellence in everything that he does. Rich we recognize and appreciate all of your efforts and hard work, and I would like to congratulate you on becoming employee of the first quarter.”

Legislator Sullivan spoke. “Rich, first of all congratulations on behalf of myself and the full Legislature. I did want to make three points. First of all being recognized as Employee of the Quarter when you come from the field of a little bit over 400 employees is really quite an honor in my opinion. The field of information technology is a difficult field to work in because of the constant change in the technology, so that is apparently an obstacle that you continue to overcome so I congratulate you on that. Working in Information Technology you are responsible for maintaining systems, computers, and all the associated peripheral equipment, and if it goes down, somebody is in trouble, somebody cannot do their job, and they are calling you and they are frantic and you need to get it done yesterday, so that is another stressor of that type of job and apparently you have succeeded in keeping your customers happy. I am sure that they appreciate it and I am sure the Legislature appreciates it as well. Again, congratulations and I wish you continued success.”

Legislator Huttleston read and presented the following Proclamation on Professional Social Work Month to Sue Romanczuk-Smelcer, Director of Community Services.

2010 Proclamation
Professional Social Work Month

WHEREAS: The citizens of Tioga County recognize that Social Workers are dedicated to the successful functioning of every individual in the community, and therefore they are proud to support the observance of March as Professional Social Work Month; and

WHEREAS: Social Workers advocate for all members of the community to ensure that everyone has access to the same basic rights, protections and opportunities; and

WHEREAS: Social Workers are on the frontlines, responding to human needs such as homelessness, poverty, mental illness, substance abuse, developmental disabilities, domestic violence, sexual abuse, divorce, and bereavement; and

WHEREAS: Social Workers have the education, training, and experience to assist individuals, families, and communities through difficult, challenging, and complex situations; and

WHEREAS: Social Workers help many citizens of the community lead more meaningful and rewarding lives; and

WHEREAS: Social Workers offer hope, healing, and recovery to citizens experiencing difficulties in daily functioning; and

WHEREAS: Social Workers demonstrate commitment and dedication to individuals, families, and communities everywhere through service delivery, education, research, and advocacy; and

WHEREAS: Social Workers inspire community action that improves life for all people; and

WHEREAS: Social Workers provide resources, guidance, treatment interventions, referrals, and education to individuals of all ages to support optimum functioning in the community; and

WHEREAS: Social Workers believe that there are no limits to human potential which makes them an inspiration to others; now therefore

THE TIOGA COUNTY LEGISLATURE does hereby ask all residents of our county to join in declaring March 2010 as *Professional Social Work Month* in Tioga County.

Legislator Huttleston spoke. “I would like to say for years I had a great aunt that had some mental disabilities and I can remember back then they did not have the treatments and the different situations, and I know a lot of people were institutionalized. Where we have come a long ways in this world today is people with mental disabilities can live in group homes, they can live like human beings rather than being in an institution like an animal, and I think we have come a long ways and I do know right now because I have a couple of friends of mine that have a child that they would like to place in a group home, there is a waiting list. I do not know if you are aware of that, but there is a waiting list for group homes and I do know we have made a lot of in roads, we have come a long ways, but we have got a long ways to go yet. I would like to ask Sue, our Director of Mental Health, to say a few words.”

Dr. Sue Romanczuk-Smelcer spoke. “Thank you very much. I have had the privilege of being the Director of Community Services for just a few months now. I have worked in the field of social work for over 20 years. I think that this County has worked very hard in all the time that I have been aware of it of providing a very good continuum of care for people who experience mental illness, substance abuse, and developmental disabilities. I am proud to serve as the Director of Community Services and I hope to do so for a long time. Thank you.”

The list of audited bills was submitted and is summarized as follows:

<u>Code</u>	<u>Description</u>	<u>Equipment</u>	<u>Expense</u>
A1010	Legislative Board		344.81
A1165	District Attorney		5,631.28
A1170	Public Defender		2,687.21
A1172	Assigned Counsel		26,666.52
A1185	Medical Examiners/Coroners		617.10
A1325	Treasurer		832.50
A1345	Purchasing		3.02
A1355	Assessments		2,003.00
A1362	Tax Advertising and Expense		2,340.66
A1410	County Clerk		618.17
A1411	Department of Motor Vehicles		480.12
A1420	Law		4,880.93
A1430	Personnel		3,624.70
A1450	Elections		595.98
A1460	Records Management		81.73
A1490	Public Works Administration		655.97
A1620	Buildings		77,633.92
A1680	Information Technology		39,733.21
A2490	Community College Tuition		1,134.00
A2960	Education Handicapped Children		268,647.57
A3020	Public Safety Comm E911 System		3,086.14
A3110	Sheriff	147.90	12,641.02
A3140	Probation		6,276.80
A3142	Alternatives to Incarceration		724.25
A3146	Sex Offender Program		8,766.67
A3150	Jail	89.95	44,639.71
A3315	Special Traffic Programs		1,000.00
A3410	Fire		2,785.50
A3640	Emergency Mgmt Office		528.22
A3641	Emergency Mgmt Grant Program	425.94	
A4010	Public Health Nursing		41,969.29
A4011	Public Health Administration	728.00	5,251.26
A4012	Public Health Education		787.51
A4042	Rabies Control		1,118.35
A4044	Early Intervention	313.78	56,678.79
A4053	Preventive/Primary Health Services		76.34
A4054	Preventive Dental Services		1,338.91
A4064	Managed Care-Dental Services		14,094.97
A4070	Disease Control		3,655.52
A4090	Environmental Health		13,462.24
A4210	Alcohol and Drug Services		13,616.55

A4211	Council on Alcoholism	40,969.98
A4309	Mental Hygiene Co Administration	11,158.07
A4310	Mental Health Clinic	46,975.70
A4315	Mental Retardation	5,411.00
A4320	Crisis Intervention Services	24,169.26
A4321	Intensive Case Management	1,818.19
A4333	Psycho Social Club	39,170.25
A5630	Bus Operations	36.83
A6010	Social Services Administration	83,207.78
A6141	Energy Crisis Assistance Programs	43,651.26
A6422	Economic Development	447.41
A6510	Veterans' Service	299.94
A6610	Sealer Weights/Measures	113.69
A8020	Planning	398.22
	COUNTY ROAD FUND	95,472.13
	SPECIAL GRANT FUND	5,612.90
	CONSOLIDATED HEALTH FUND	59,358.86
	CAPITAL FUND	15,978.51
	LIABILITY INSURANCE FUND	912.28
	WORKERS' COMP	<u>5,179.00</u>
	GRAND TOTAL	\$ 1,153,757.27

Legislator Monell made a motion to approve the minutes of February 9, 2010, seconded by Legislator McEwen, and carried.

Committee meeting reports are on file in the Legislative Clerk's Office and may be procured there by any interested person.

Legislator Sauerbrey reported for the Public Safety Committee. "The Public Safety Committee met last week and at that time Sheriff Gary Howard reported that Lieutenant Dave Monell was selected as the New York State Sheriff's Association's Corrections Officer of the year and that is very prestigious. He went to Albany and received that recognition, and I think that is just an example of the kind of employees that we have working for us."

Chari Weston read the 2009 Highlights of the State of the County Address.

Areas of note within Tioga County in 2009 and 2010 goals.

I. On the Economic Development front:

- Department of Economic Development is the contact source for information gathering on Natural Gas Exploration.
- Economic Development, in conjunction with the Village of Owego, wrote a RESTORE NY grant application, which resulted in \$950,000 for restoration and new construction.
- Four PILOT agreements reached conclusion. These companies are now paying 100% of their property tax.
- Assisted two separate companies with their expansion projects, which resulted in over \$10 million of investment.
- Planning continued its active involvement in preparing for the 2010 Census. It is also involved with flood mitigation efforts and the participation in the Susquehanna Heritage Area designation which would allow county and municipalities access to dedicated state funding for heritage related projects.

II. County Government News:

- In 2009, our County, State and National economies continued to struggle. The program growth in Food Stamps saw the number of recipients grow from 4,381 to 5,692. This represents an unprecedented 30% growth.
- Public Health took the lead in minimizing the spread of H1N1 virus. The department immunized young adults and children starting in November.
- A total of all fees collected by the County Clerks Office and DMV was \$1.85 million for Tioga County.
- Fixed Assets moved from the Information Technology back to Records Management.
- The Buildings and Grounds workers reconstructed space at the County Office Building for Cornell Cooperative Extension. This renovation allowed the D.M.V. to relocate back at 56 Main Street thereby saving taxpayers \$52,500 per year.
- The Public Works Department obtained \$1.5 million in federal stimulus money for the replacement of the Southside Dr. Bridge over Pumpelly Creek.
- The Treasurer's auction of 42 foreclosed properties last summer produced a surplus of \$183,000.
- The Treasurer's Office collected \$968,000 in interest penalties and fees in 2009.

III. Overall good news for the County:

- The Sheriff Department's revenues finished 3.4% above goal at \$696,000.
- 2009 was the third year for allowing Pennsylvania residents to use the Barton Transfer station facility. They were required to purchase a permit for a \$25.00 annual fee. This generated \$7,150 in revenue for one year.
- Reduced Legislative mileage - savings \$5,490.
- Annual savings from increase in Legislators health insurance contributions \$1,440.
- 60-day delay on backfills – savings \$120,000 between April and December 2009
- Switched Security at Health & Human Services – savings \$70,000.

- Non-Union dental insurance removed – savings \$24,000.
- No pay increases to non-union staff – savings \$39,650.
- Elimination of positions – total savings, including unfunded, \$438,000.
- Resolution adopted for no pay increases to part-time employees- Savings approximately \$16,600.

IV. 2010 Goals

- Construct the Southside Drive, Lockwood, Tappan, and East River at Kirby Park bridge replacements.
- Construct Phases 1 and 2 of the Courthouse Exterior Renovation Project.
- Prepare plan for closing of redundant bridges.
- Reconfigure space to relocate the County Historian, Records Department, and the Safety Officer from our building on Parker Lane in Owego. Then sell the building and return it to the tax base.
- Complete a lighting efficiency project at the Public Safety Building, thereby saving on electricity costs.
- Legislative meetings regarding cost saving initiatives for the 2011 budget have started.
- Implement plan to save 12.7% on car registrations by informing the public to bring in or send their registrations to our local DMV Office.

REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. 73-10

***ERRONEOUS ASSESSMENT
TOWN OF SPENCER***

**Adoption moved by Legislator McEwen,
seconded by Legislator Huttleston.**

WHEREAS: An application for corrected tax roll indicates that property no. 469, assessed to William L Campbell on the 2010 tax rolls of the Town of Spencer is erroneous in that the aged exemption on this property was based upon incorrect income and the incorrect exemption was only applied to county and also applies to town; the corrected exemption reduces the county taxable value from \$19,500 to \$10,500, and the town taxable value from \$21,000 to \$10,500; and

WHEREAS: The 2010 tax bill in the amount of \$1,505.53 was paid to the Town of Spencer tax collector on 1/4/10; be it therefore

RESOLVED: That the Town of Spencer tax collector issue a refund of \$699.24 to William L Campbell for property no. 469 in the Town of Spencer; and be it further

RESOLVED: That the erroneous town tax of \$302.84 be charged back to the Town of Spencer; and be it further

RESOLVED: That the erroneous solid waste tax of \$15.90 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$380.50 be charged to the proper account in the records of the County Treasurer

Roll Call:

Ayes 09

Noes 00

Absent 00

CARRIED

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 74-10

RESOLUTION REQUESTING THAT THE STATE DEPARTMENT OF AGRICULTURE AND MARKETS BEGIN DISCUSSIONS WITH THE STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION (NYSDEC) FOR COMPENSATION OF LOCAL SOIL AND WATER CONSERVATION DISTRICTS FOR THEIR PART IN NATURAL GAS EXPLORATION MONITORING AND MITIGATION

Adoption moved by Legislator Sullivan,
seconded by Legislator Monell

WHEREAS: The Southern Tier region of New York State will begin experiencing a natural gas exploration boom of unprecedented proportion once the draft SGEIS is completed by the NYS Department of Conservation; and

WHEREAS: There will be a need for monitoring and mitigation expertise at the local level to respond to citizen complaints; and

WHEREAS: The local Soil and Water Conservation Districts historically have been that contact locally for landowners and commercial agricultural producers; and

WHEREAS: The local Soil and Water Conservation Districts have the necessary knowledge and expertise to monitor and inspect potential environmental issues in regards to Natural Gas exploration (including well pad development and associated pipeline activities); therefore be it

RESOLVED: That the Tioga County Legislature supports the Department of Agriculture and Markets in pursuing talks with NYSDEC to compensate local Soil and Water Conservation Districts for responding locally to environmental issues associated with natural gas exploration and production.

CARRIED

REFERRED TO: ED&P COMMITTEE
AGRICULTURE COMMITTEE

RESOLUTION NO 75-10 *AUTHORIZE 2010 REQUESTS FOR
INCLUSION OF LANDS IN AGRICULTURAL
DISTRICT*

Adoption moved by Legislator Sullivan,
seconded by Legislator McEwen.

WHEREAS: In accordance with §303-B of the NYS Agricultural and Markets Law 25-AA, the Tioga County Planning Department has solicited agricultural land owners to request inclusion of lands in agricultural districts; and

WHEREAS: Tioga County Planning has received requests for inclusion of land in agricultural districts and prepared a report listing and summarizing these requests which are located within the Owego/Nichols Agricultural District; and

WHEREAS: The Tioga County Agricultural and Farmland Protection Board has reviewed said report and determined that the land to be included consists of viable agricultural land and its inclusion will serve the public interest by helping to maintain a viable agricultural industry within the district and therefore recommends County Legislature approval of inclusion of lands into their respective agricultural districts; and

WHEREAS: The Tioga County Legislature has held the required public hearing and no opposition was heard; therefore be it

RESOLVED: That the Tioga County Legislature approve the 2010 requests for inclusion of land listed in said report into Owego/Nichols Agricultural District, and be it further

RESOLVED: That the Tioga County Legislature directs the Tioga County Planning Department to submit said report to the Commissioner of NYS Department of Agriculture and Markets for final certification.

CARRIED

REFERRED TO:

ED&P COMMITTEE

RESOLUTION NO. 76-10

***RESOLUTION IN OPPOSITION
TO THE IDA TAX IMPOSED ON
LOCAL INDUSTRIAL
DEVELOPMENT AGENCIES BY
NEW YORK STATE AS A MEANS
TO HELP CLOSE THE STATE'S
BUDGET DEFICIT***

**Adoption moved by Legislator Monell,
seconded by Legislator Sauerbrey.**

WHEREAS: Local Industrial Development Agencies (IDAs) serve as the primary vehicle for the implementation of economic development programs in counties and local communities across New York State; and

WHEREAS: The primary mission of local IDAs is the creation and retention of jobs for New York's residents, through innovative, locally-driven and developed programs to make counties and local communities better places in which to invest, grow productive business enterprises and create better business atmospheres to generate new economic activity, job creation and tax revenue producers; and

WHEREAS: The 2009-2010 State budget contained a maximum statewide "cost recovery" tax of \$5 million to "reimburse to New York State an allocable share of state governmental costs attributable to the provisions of services to industrial development agencies;" and

WHEREAS: The State Department of Taxation and Finance has sent Tax bills to every IDA in the state, for amounts corresponding to 4.7% of the gross revenue received by an IDA in the 2008 calendar year, payable by March 31, 2010; and

WHEREAS: The tax bills received by local IDAs were received long after local IDAs' budgets were developed and implemented, without the inclusion of this new unanticipated tax in their adopted budgets; and

WHEREAS: Imposing a state gross receipts tax on revenues from 2008 that include tax generated resources from the state and federal government is redundant, punitive and will lead to these resources and those appropriated by counties for local job creation to be used instead to help bail out the State during its time of financial crisis; therefore be it

RESOLVED: That the Tioga County Legislature strongly opposes the imposition of the new tax on the gross revenues of local Industrial Development Agencies as a means to help eliminate the state budget deficit; and be it further

RESOLVED: That the Tioga County Legislature shall forward copies of this resolution to Governor David A. Paterson, the New York State Legislature and all others deemed necessary and proper.

CARRIED

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 77-10

***APPLY FOR NEW YORK STATE
HOUSING TRUST FUND
CORPORATION – 2010 NEW YORK
MAIN STREET PROGRAM GRANT
FUNDS***

**Adoption moved by Legislator Sauerbrey,
seconded by Legislator Sullivan.**

WHEREAS: The NYS Housing Trust Fund Corporation through their 2010 New York Main Street Program (NYMS) has made available a funding opportunity for rehabilitation of building stock to foster small business development, expand housing, stimulate reinvestment, enable adaptive reuse, address Americans with Disabilities Act (ADA), address code enforcement issues, energy efficiency and to preserve and revitalize mixed-use (commercial, civic and residential) business districts through building rehabilitation, façade improvement and streetscape improvement grants; and

WHEREAS: The NYMS Program criteria now allows units of government to be eligible applicants and to act as a Local Program Administrator (LPA); and

WHEREAS: The Tioga County Tourism Study (2004) recommends that our revitalization efforts follow the National Trust’s Main Street Center 4-point Approach, one of which is – Design: Enhancing the historic commercial district’s physical appearance through building rehabilitation, compatible new construction, public improvements and design management systems; and

WHEREAS: The Village of Owego has initiated a coordinated effort to revitalize their targeted historic central business district through several recent, significant accomplishments and their Village of Owego Consolidated Master Plan (adopted 2003), includes a strategy in the Economic Development Chapter and Building Improvements and Filling Vacancies section to “Seek... pertinent funding to undertake commercial revitalization”; and

WHEREAS: The Village of Owego has approved a resolution in support of this application to the 2010 NYMS Program by Tioga County and is desirous of the County conducting this activity for them; and

WHEREAS: Several property owners in the Village of Owego downtown business district target area have expressed in writing interest in utilizing this funding to make building improvements; and

WHEREAS: This grant source requires applicants to administer and ensure successful completion of all assisted projects by evaluating and assuring compliance with all local, state and federal laws and regulations, and allows a 7.5% administrative fee as administrative revenue for providing such services; and

WHEREAS: The NYMS Program grant application will be submitted for a total of up to \$500,000 for building rehabilitation and façade improvements with 25% cash match provided by property owners, plus Tioga County Department of Economic Development & Planning will receive revenue for staff time to provide administrative services, therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes submission and administration of said grant to New York State Housing Trust Fund, NYMS Program in the amount of up to \$500,000 with cash match provided by property owners with a 7.5% in administrative revenue to be received for providing such services.

On roll call vote on the above resolution, six members voted Aye, Legislators Roberts, McEwen, and Oberbeck voting no, and the resolution was adopted.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 78-10 *AUTHORIZE INCREASE IN ADMINISTERING
MORTGAGE TAX BY
THE TIOGA COUNTY CLERK AS APPROVED
BY NEW YORK STATE DEPARTMENT OF
TAXATION AND FINANCE*

Adoption moved by Legislator McEwen,
Seconded by Legislator Sauerbrey.

WHEREAS: Section 262 (Article 11) of the New York State Tax Law mandates that recording officers are entitled to receive for the county all necessary expenses for the purpose of administration of the mortgage tax in their office and approved allowance by the New York State Department of Taxation and Finance; and

WHEREAS: The Tioga County Clerk has requested proper compensation that are reasonable and necessary allowances to cover county expenditures for collection, disbursements of the mortgage tax; and

WHEREAS: The Tioga County Clerk Office has submitted to the New York State Department of Taxation and Finance a mortgage expense request of \$76,977.00 per year; and

WHEREAS: The Tioga County Clerk has been authorized by New York State Department of Taxation and Finance to increase the mortgage expense to be \$76,977.00 for the period of April 2010 – April 2011; be it therefore

RESOLVED: That the County Clerk be authorized to collect or withhold from its disbursements in twelve (12) equal monthly installments of \$6,414.75 at a total annum amount of \$76,977.00.

Roll Call:
Ayes 09
Noes 00
Absent 00
CARRIED

REFERRED TO:

**ED&P COMMITTEE
FINANCE COMMITTEE**

RESOLUTION NO. 79-10

***APPROPRIATION OF
ADDITIONAL REVENUE FOR
THE SNOWMOBILE GRANT
PROGRAM – ECONOMIC
DEVELOPMENT & PLANNING***

**Adoption moved by Legislator Roberts,
seconded by Legislator Sullivan.**

WHEREAS: The Snowmobile Grant Program received an unanticipated additional funding of \$4,669 for the 2010 calendar year; therefore be it

RESOLVED: That the additional \$4,669 be appropriated from A3989 State Aid Snowmobile Grant Program to Snowmobile Grant Account A7180.40-590.

Roll Call:

Ayes 09

Noes 00

Absent 00

CARRIED

REFERRED TO:

**PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE**

RESOLUTION NO. 80-10

***FUND SHERIFF'S GRANT –
BUCKLE UP NEW YORK GRANT***

**Adoption moved by Legislator Sauerbrey,
Seconded by Legislator McEwen.**

WHEREAS: The Sheriff's Office has been awarded a BUNY (Buckle Up New York) Grant PT-5400151 from the Governor's Traffic Safety Committee in the amount of \$3,978; and

WHEREAS: This funding now needs to be appropriated; therefore be it

RESOLVED: That the BUNY Grant be appropriated as follows:

From: A3395. State Aid-Sheriff BUNY Grant PT-5400151 \$3,978

To: A3115.10.30 BUNY Grant-Personnel Services (O/T) \$3,978

Roll Call:

Ayes 09

Noes 00

Absent 00

CARRIED

REFERRED TO:

PUBLIC SAFETY COMMITTEE

FINANCE COMMITTEE

RESOLUTION NO. 81-10

***FUND SHERIFF'S GRANT –
STEP GRANT***

**Adoption moved by Legislator Sauerbrey,
Seconded by Legislator McEwen.**

WHEREAS: The Sheriff's Office has been awarded a STEP (Selective Traffic Enforcement) Grant PT-5400171 from the Governor's Traffic Safety Committee in the amount of \$27,160; and

WHEREAS: This funding now needs to be appropriated, therefore be it

RESOLVED: That the STEP Grant be appropriated as follows:

From: A3390. State Aid-Sheriff STEP Grant PT-5400171 \$27,160

**To: A3111.10.30 STEP Grant-Personnel Services (O/T) \$24,960
 A3111.20-130 STEP Grant-Equipment (not car) \$ 2,200**

Roll Call:

Ayes 09

Noes 00

Absent 00

CARRIED

REFERRED TO: ED&P COMMITTEE
JOB TRAINING COMMITTEE

RESOLUTION NO. 82-10 *AMEND TIOGA EMPLOYMENT
CENTER BUDGET*

Adoption moved by Legislator Sullivan,
seconded by Legislator McEwen.

WHEREAS: The Tioga Employment Center, as part of the Broome-Tioga Workforce New York for employment and training services, is funded under the federal Workforce Investment Act; and

WHEREAS: The Tioga Employment Center has been allocated additional funds under New York State Incentive Funds in the amount of \$4,567.00; therefore be it

RESOLVED: That the Tioga Employment Center budget be amended as follows:

From: CD4791 – Federal Aid-Federal Employment Program \$4,567.00

To: CD6293.40- – Federal Employment Program in the following accounts:
- 190 Education Reimbursements: \$3,667.00
- 733 Training/All Other \$ 900.00

Roll Call:
Ayes 09
Noes 00
Absent 00
CARRIED

REFERRED TO: PUBLIC WORKS
FINANCE

RESOLUTION NO. 83-10 *TRANSFER FUNDS*

Adoption moved by Legislator Roberts,
seconded by Legislator Sullivan.

WHEREAS: Tioga County replaced West Creek Rd. Bridge over West Branch Owego Creek in 2009; and

WHEREAS: NYSDEC is charging a new lead paint disposal surcharge of \$10,000 and there are insufficient funds in the West Creek Rd. Bridge Project H2007.09; and

WHEREAS: The Glen Mary Drive Bridge Project H2008.07 has been completed under budget; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the transfer of \$10,000 from H2008.07 Glen Mary Dr Bridge Project to H2007.09 West Creek Bridge over West Branch Owego Creek.

Roll Call:
Ayes 09
Noes 00
Absent 00
CARRIED

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 84-10 *CREATE NEW PROJECT*
BOND ISSUE AND TRANSFER FUNDS

Adoption moved by Legislator Roberts,
seconded by Legislator McEwen.

WHEREAS: Tioga County Public Works did a rehabilitation of the Glen Mary Drive Bridge and the project was completed under budget; and

WHEREAS: Tioga County wants to submit an application for a 2010 Bond Issue; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the creation of project H2010.09 Bond Issue and transfer \$50,000 from H2008.07 Glen Mary Drive Bridge Project to H2010.09 Bond Issue.

Roll Call:
Ayes 09
Noes 00
Absent 00
CARRIED

REFERRED TO: PUBLIC WORKS
FINANCE

RESOLUTION NO. 85-10 *CREATE NEW PROJECT
HALSEY VALLEY RD.
BRIDGE OVER PIPE CREEK
(BIN: 3334970) AND TRANSFER
FUNDS*

Adoption moved by Legislator Roberts,
seconded by Legislator Huttleston.

WHEREAS: Tioga County Public Works Commissioner sent out request for proposals for the Design Services for Lillie Hill Rd. Bridge over Apalachin Creek (BIN: 3335510) and Straits Corners Rd. Bridge over Pipe Creek (BIN: 3335040); and

WHEREAS: The proposals for these projects came in under the estimates; and

WHEREAS: The next scheduled bridge project is the Halsey Valley Rd. Bridge over Pipe Creek (BIN: 3334970); therefore be it

RESOLVED: That the Tioga County Legislature authorizes the creation of project H2010.10 Halsey Valley Rd. Bridge over Pipe Creek (BIN: 3334970) for design services and transfer \$30,000 from H2010.06 Straits Corners Rd. Bridge over Pipe Creek (BIN: 3334970) and \$30,000 from H2010.07 Lillie Hill Rd. Bridge over Apalachin Creek (BIN: 3335510) into account H2010.10 Halsey Valley Rd. Bridge over Pipe Creek (BIN: 3334970) for a total amount of \$60,000.

Roll Call:
Ayes 09
Noes 00
Absent 00
CARRIED

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 86-10 *AWARD DESIGN OF HALSEY
VALLEY RD. BRIDGE (BIN 3334970)
OVER PIPE CREEK TO
MCFARLAND & JOHNSON*

**Adoption moved by Legislator Roberts,
seconded by Legislator Huttleston.**

WHEREAS: The Commissioner of Public Works requested proposals for design services for the Halsey Valley Rd. Bridge over Pipe Creek (BIN:#3334970); and

WHEREAS: The proposals were as follows:

McFarland & Johnson	Binghamton, NY	\$ 49,347
Delta Engineers	Endwell, NY	\$ 49,950
Shumaker Consulting Engineers	Binghamton, NY	\$ 51,039

Therefore be it

RESOLVED: That the Tioga County Legislature award the design services to McFarland & Johnson, Binghamton, NY in the amount of \$49,347 to be paid out of account H2010.10 Halsey Valley Rd. Bridge (BIN 3334970).

**Roll Call:
Ayes 09
Noes 00
Absent 00
CARRIED**

**REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE**

**RESOLUTION NO. 87-10 *AUTHORIZE CONTRACT FOR UNIFORM
DRY CLEANING AND LAUNDRY SERVICES***

**Adoption moved by Legislator Sauerbrey,
Seconded by Legislator McEwen.**

WHEREAS: The Sheriffs Office is required to provide uniform Dry Cleaning and Laundry services for uniformed officers; and

WHEREAS: Moreton Cleaners of Waverly New York has contracted with the Sheriffs Office to provide this service; and,

WHEREAS: The Sheriffs Office is desirous to extend the current contract one additional year for a annual fee of \$12,250; and

WHEREAS: Funding for this contract has been appropriated in the 2010 budget and the Tioga County Attorney has approved the agreement that defines the rights and responsibilities of all the parties; be it therefore

RESOLVED: That the Tioga County Legislature authorize the Tioga County Sheriffs Office to enter into a contract with Moreton Cleaners.

Roll Call:

Ayes 09

Noes 00

Absent 00

CARRIED

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 88-10 *AUTHORIZE CONTRACT FOR INMATE
MEDICAL CARE*

**Adoption moved by Legislator Sauerbrey,
Seconded by Legislator Roberts.**

WHEREAS: The Sheriffs Office contracts with Correctional Medical Care Inc. (CMC) to provide medical care to the inmates of the Tioga County Jail; and

WHEREAS: The Sheriffs Office is desirous to extend the current contract one additional year for an annual fee of \$259,512; and

WHEREAS: Funding for this contract has been appropriated in the 2010 budget and the Tioga County Attorney has approved the agreement that defines the rights and responsibilities of all the parties; be it therefore

RESOLVED: That the Tioga County Legislature authorize the Tioga County Sheriffs Office to enter into a contract with Correctional Medical Care, Inc.

Roll Call:

Ayes 09

Noes 00

Absent 00

CARRIED

REFERRED TO: LEGAL COMMITTEE

RESOLUTION NO. 89-10 *REQUESTING SUPPORT OF COUNTIES
AND STATE LEGISLATORS IN
RELATION TO LEGISLATION
AMENDING COUNTY LAW,
SECTION 215*

**Adoption moved by Legislator Monell,
Seconded by Legislator Sullivan.**

WHEREAS: The exploration and extraction of natural gas from the Marcellus shale and other geologic formations in the southern tier and central New York has become a major economic factor such that gas companies are leasing thousands of acres of land; and

WHEREAS: Section 215 of the County Law as presently written limits the period of time a County can enter into a lease to five years; and

WHEREAS: Gas companies seeking to lease land, in order to recover the large investment costs, require that the term of leasehold extend for such time as the well is productive and not be limited to a finite five year term; and

WHEREAS: Counties which operate under a charter form of government have the ability to provide in their respective charters for authority to enter into leases beyond the five year limit and such ability is denied to non-charter Counties; and

WHEREAS: All Counties should be afforded equal protection under the law to enable the respective County governments to determine the terms of leases for its own land, if any County shall determine it to be in the public interest to enter into one or more of such leases; and

WHEREAS: The State of New York permits the leasing of State land for natural gas exploration and extraction for so long as gas is produced in commercially paying quantities; and

WHEREAS: Remedial legislation sponsored by Senator Thomas W. Libous, Assemblyman William Magee and Assemblyman Clifford W. Crouch, denoted as Senate Bill #S.6325 and Assembly Bill #A.9727 respectively, has been introduced to

amend County Law Section 215 to permit a County to enter into a lease under terms it deems proper and that the period of such lease for the exploration and drilling for and extraction of natural gas and liquefied natural gas may extend for as long a period of time as the gas is produced in commercially paying quantities; now therefore be it

RESOLVED: That the Tioga County Legislature requests that each County support this legislation, adopt a resolution formally indicating such support, and urge their respective elected representatives in Albany to become co-sponsors of and work for the passage of such legislation and ultimately its approval by the Governor; and be it further

RESOLVED: That a copy of this Resolution be distributed to County governments, and elected representatives including Senators Thomas W. Libous and James L. Seward, Assemblymen William Magee, Clifford W. Crouch, Gary D. Finch and Peter Lopez, and the New York State Association of Counties.

Legislator Sullivan made a motion to amend the above resolution, seconded by Legislator McEwen and the amendment is to read as follows:

In the first RESOLVED add the following words after Legislature:

“supports this Legislation and”

Legislator Oberbeck spoke. “Just for point of clarity because I know there has been some questions directed at me from my constituents that this does not obligate the County to extend a lease to any gas company for any finite period of time. What this does is it gives the County the ability to negotiate a lease larger than five years if indeed this body decides to do that. At this time my understanding is the County is not negotiating with any gas company for any lease at this time.”

On approval of the resolution and amendment, all nine Legislators were in favor and the resolution was adopted.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 90-10 *APPOINT MEMBERS TO
TRAFFIC SAFETY BOARD*

Adoption moved by Legislator Sauerbrey,
seconded by Legislator Roberts.

RESOLVED: That the following members be reappointed to the Traffic Safety Board for a term as follows:

TITLE	TERM
Arthur Cacciola-Candor	4/1/10-3/31/13
Public Works Commissioner or designee	4/1/10-3/31/13
Tioga County EMO Director	4/1/10-3/31/13
Tioga County Sheriff or designee	4/1/10-3/31/13
Tioga County Economic Development or designee	4/1/10-3/31/13
Jerry Hyatt-County Representative	4/1/10-3/31/13
Public Health Director or designee	4/1/10-3/31/13

CARRIED

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 91-10 *RESOLUTION TO CHANGE THE COMPOSITION OF THE COMMUNITY SERVICES BOARD FROM NINE (9) TO FIFTEEN (15) MEMBERS*

**Adoption moved by Legislator Huttleston,
seconded by Legislator Sullivan.**

WHEREAS: Resolution 310-06 authorized the reduction in the number of Tioga County Community Services Board members from fifteen (15) to nine (9); and

WHEREAS: New York State Mental Hygiene Law, Section 41.11 (a) states: “In all local governments with a population less than one hundred thousand, community services boards, at the option of the local government, shall have either nine or fifteen members appointed by the local government”; and

WHEREAS: Tioga County has interest in an active Community Services Board whose composition accurately reflects the needs of the community; and

WHEREAS: The Community Services Board desires to change its membership back to fifteen (15) members to allow for a more diverse panel of participants to monitor community needs; and

WHEREAS: The Community Services Board and the Director of Community Services recommend an increase in the number of board members from nine (9) to fifteen (15); therefore be it

RESOLVED: That the Tioga County Community Services Board shall revert to fifteen (15) members; and be it further

RESOLVED: That the increase from nine (9) to fifteen (15) members on the Community Services Board will become effective on April 1, 2010.

CARRIED

Legislator McEwen made a motion to have the following late-filed resolution considered, seconded by Legislator Sullivan and carried.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 92-10 *ERRONEOUS ASSESSMENT
TOWN OF BERKSHIRE*

Adoption moved by Legislator McEwen,
seconded by Legislator Monell.

WHEREAS: An application for corrected tax roll indicates that property no. 360, assessed to Jason Stokes (Andrew Hanson) on the 2010 tax rolls of the Town of Berkshire, is erroneous in that the assessment was based on incorrect square footage and should be reduced from \$277,800 to \$105,100; and

WHEREAS: The 2010 tax bill for property no. 360 has not yet been paid to the Town of Berkshire tax collector; be it therefore

RESOLVED: That the Town of Berkshire tax collector issue a new bill to Jason Stokes (Andrew Hanson) for property no. 360 as follows:

<u>Corrected 2010 Tax Bill Acct #360</u>	
County	\$ 817.47
Recycle	34.16
Townwide	698.86
<u>Berkshire Fire</u>	<u>153.88</u>
TOTAL	\$1,704.37

and be it further

RESOLVED: That the erroneous town tax of \$1,148.37 be charged back to the Town of Berkshire, and the erroneous fire tax of \$252.86 be charged back to the Berkshire Fire District; and be it further

RESOLVED: That the erroneous solid waste tax of \$56.13 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$1,343.26 be charged to the proper account in the records of the County Treasurer

Roll Call:

Ayes 09

Noes 00

Absent 00

CARRIED

The meeting was adjourned at 6:32 P.M.